

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Case No. 19-cv-10506 (AT)

SYDNEY HYMAN,

Plaintiff,

v.

ANDREW FABBRI and JESSICA COHEN a/k/a  
JESSICA FABBRI,

Defendants.

\_\_\_\_\_X

**AFFIRMATION IN  
SUPPORT OF REQUEST  
FOR CERTIFICATE  
OF DEFAULT**

Michael W. Freudenberg hereby declares as follows:

1. I am a partner in the law firm of Harrington, Ocko & Monk, LLP counsel for Plaintiff SYDNEY HYMAN in this action.

2. This action was filed in Supreme Court, New York County on September 6, 2019.

3. Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABBRI have been properly served with the Summons, Notice of Commencement of Action Subject to Mandatory Electronic Filing, and Amended Complaint.

4. Defendants removed the case from Supreme Court, New York County to this Court by Notice of Removal dated November 12, 2019 and electronically filed on November 13, 2019 [Document #1].

5. The time for Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABBRI to answer or otherwise move with respect to the Amended Complaint herein has expired.

6. Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABBRI have not answered or otherwise moved with respect to the Amended Complaint, and time for

Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABRI to answer or otherwise move has not been extended.

7. That Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABBRI are not infants or incompetent. Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABBRI are not presently in the military service of the United States as appear from facts in this litigation.

WHEREFORE, Plaintiff SYDNEY HYMAN requests that the default of Defendants ANDREW FABBRI and JESSICA COHEN a/k/a JESSICA FABBRI be noted and a Certificate of Default issue.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to Plaintiff SYDNEY HYMAN, and that no part thereof has been paid.

Dated: December 30, 2019  
White Plains, New York

HARRINGTON, OCKO & MONK, LLP

By: 

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TO: Counsel of Record, via ECF